

AC19R



**International Mobile Satellite Organization**

**ADVISORY COMMITTEE**

Nineteenth Session

4 to 5 July 2007

IMSO/AC/19/Report

Origin: Chairman of  
Advisory Committee

Date: 10 July 2007

**REPORT OF THE NINETEENTH MEETING OF THE  
ADVISORY COMMITTEE**

4 – 5 JULY 2007

## NINETEENTH SESSION OF THE IMSO ADVISORY COMMITTEE

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## **REPORT OF THE NINETEENTH SESSION OF THE ADVISORY COMMITTEE**

### **OPENING OF THE MEETING**

The Advisory Committee met at IMSO Headquarters on 4 and 5 July 2007, under the chairmanship of Mr William Azuh of Nigeria, with Mr Arsenio Dominguez of Panama as Vice-Chairman. The Chairman welcomed Captain Esteban Pacha to his first meeting of the Committee as IMSO Director and stated that the Committee looked forward to working closely and constructively with him, especially in the light of the new challenges facing the Organization following the provisional entry into force of the 2006 amendments to the IMSO Convention on 7 March 2007 in the areas of GMDSS and LRIT.

The Director stated that he looked forward to assisting the Committee in its deliberations. He hoped that the Committee would appreciate the work which had been done together with the Directorate staff to prepare for the meeting.

The Chairman welcomed all the members of the Committee as well as the observers to the meeting. He stated that the main purpose of this Session related to Long Range Identification and Tracking of Ships (LRIT).

### **1 APPROVAL OF AGENDA**

The Committee approved the Agenda, with the inclusion of a new item of other business "Proposed Amendments to the Convention" which had been submitted by the United States. The Agenda, List of Participants, List of Documents and Terms of Reference are attached at Annexes I to IV, respectively, to this Report.

**2 OUTCOME OF THE EIGHTEENTH SESSION OF THE ADVISORY COMMITTEE**

The Committee noted the report of its Eighteenth Session, which was held on 26 and 27 February 2007. The report was sent to all IMSO Member States on 8 March 2007.

**3 MATTERS ARISING FROM THE EIGHTEENTH AND NINETEENTH (EXTRAORDINARY) SESSIONS OF THE IMSO ASSEMBLY**

The Committee noted document AC/19/3 "Matters Arising from the Eighteenth and Nineteenth (Extraordinary) Sessions of the IMSO Assembly" which were held in September 2006 and March 2007, respectively.

**3.1 Terms of Reference for the Advisory Committee**

3.1.1 The Committee noted that the Director has reviewed the text of the current Terms of Reference for the Committee in the light of discussions at the Assembly, and has made suggested amendments.

3.1.2 The Committee:

- (a) agreed to request members of the Committee to review the terms of reference of the Committee, as revised by the Director, with a view to making any proposals for further refinement to the Director by 1 November 2007; the Director was requested to consolidate a new text for the next session of the Committee for agreement, before submission to the next regular Session of the Assembly;
- (b) noted that further amendments may be needed as issues related to the reference Public Services Agreement and LRIT progress; and
- (c) noted that this issue is included in the work programme for the Committee, as discussed in document AC/19/8.2.

3.2 **GMDSS Public Services Agreement**

3.2.1 The Committee noted that:

- (a) the draft Reference PSA had originally been agreed by the Committee at its Thirteenth Session in November 2005;
- (b) the text of an alternative draft reference PSA which reflected a clear distinction between the evaluation and recognition functions, which may be carried out by or on behalf of IMO, and the oversight functions, was noted at by the Committee at its Sixteenth Session in September 2006; at that Session, the Committee *“noted that, in the event of an extension of oversight by IMSO to other satellite operators, the apportionment of costs remained an issue for further discussion; the Committee also noted the intention of the Director to submit this text to the Eighteenth Session of the Assembly, with a recommendation that the Assembly decides to delegate final agreement of the text of the PSA to the Advisory Committee to take account of final decisions by IMO; the Committee noted that other options may also be available to the Assembly for the purpose of final agreement of the text of the PSA, for example, an expanded or open ended membership of the Advisory Committee or an Extraordinary Session of the Assembly”*;
- (c) at its Eighteenth Session, in September 2006, the Assembly noted the Draft Reference PSA, and the alternative text, and *“decided that the Director will work in consultation with the Advisory Committee to develop the draft Reference Public Services Agreement to take account of any decisions which may be taken by IMO in respect of evaluation and recognition, for approval by the Assembly”*; and
- (d) as revisions to IMO Assembly resolution A.888(21) on *Criteria for the provision of mobile-satellite communication systems in the Global Maritime Distress and Safety System (GMDSS)* and consequential amendments to SOLAS, Chapter IV, have an impact on the text of the draft reference Public Services Agreement, any corresponding amendments will be incorporated by the Director and circulated to the Committee after MSC 83.

3.2.2 The United States reiterated its long standing concern that the draft Public Services Agreement will not attract new GMDSS providers.

3.2.3 The Committee noted that this matter is included in the work programme for the Committee, as discussed in document AC/19/8.2.

### 3.3 **Rules of Procedure for the Assembly**

3.3.1 The Committee noted that:

- (a) at its Eighteenth Session, the Assembly had decided that *“for future Sessions of the Assembly, it was important to ensure regional representation in the election of its officers. Many delegations supported the principle of rotation in the appointment of Chairman and other officers. The Assembly requested the Advisory Committee to discuss and recommend amendments to the Rules of Procedure to cover procedures for the election of Chairman and Vice-Chairmen of the Assembly, Credentials Committee and Advisory Committee, to accomplish this goal”*;
- (b) the Assembly had also decided that *“the Rules of Procedure of the Assembly should be amended to specify that original Credentials must be presented in advance of sessions of the Assembly, and to request the Advisory Committee to consider this matter and make recommendations to the next session of the Assembly”*; and
- (b) at its Nineteenth (Extraordinary) Session, the Assembly had *requested the Committee to consider the admission of observers to meetings of the Advisory Committee*”.

3.3.2 The Committee noted that the Director had reviewed the text of the current Rules of Procedure for the Assembly in the light of discussions at the Assembly, and had made suggested amendments.

3.3.3 The Committee agreed to request members of the Committee to review the Rules of Procedure for the Assembly, as revised by the Director, with a view to making any proposals for further refinement to the Director by 1 November 2007; the Director was requested to consolidate a new text for

the next session of the Committee for agreement, before submission to the next regular Session of the Assembly.

3.3.4 The Committee noted that Information on the history of officers and membership of Committees will be provided by the Director for reference.

3.3.5 The Committee also noted that this matter is included in the work programme for the Committee, as discussed in document AC/19/8.2.

#### 3.4 **Functions of the IMSO Director**

3.4.1 The Committee noted that, at its Eighteenth Session, the Assembly had approved amended functions for the IMSO Director and had requested the Advisory Committee to make further revisions in the light of decisions taken at that session of the Assembly.

3.4.2 The Committee noted that the Director has reviewed the text of the current Rules of Procedure for the Assembly in the light of discussions at the Assembly, and has made suggested amendments.

3.4.3 The Committee agreed to request members of the Committee to review the Functions of the Director, as revised by the Director, with a view to making any proposals for further refinement to the Director by 1 November 2007; the Director was requested to consolidate a new text for the next session of the Committee for agreement, before submission to the next regular Session of the Assembly.

3.4.4 The Committee also noted that this matter is included in the work programme for the Committee, as discussed in document AC/19/8.2.

#### 3.5 **Long Range Identification and Tracking of Ships (LRIT)**

3.5.1 The Committee noted that, at its Nineteenth (Extraordinary) Session, the Assembly had noted a presentation on LRIT and noted that the Director will continue to refine the Budget for LRIT, will endeavour to find appropriate sources of funding for the start up of LRIT, and will report on a regular basis to the Advisory Committee on all aspects of LRIT.



3.5.2 Further consideration of this matter is contained in Section 6 of this Report.

## 4 **DIRECTORATE ACTIVITIES**

The Committee noted document AC/19/4 and its Addendum “Directorate Activities”, which provided detailed information on activities undertaken by the Directorate since the last Session of the Committee; in particular that this document will be updated for each session of the Committee. The Committee expressed its appreciation to the Director for the information provided, and agreed that this should be a standard agenda item but that only substantive issues should be reported in the future.

### 4.1 **Staffing**

The Committee noted that:

- (a) Captain Esteban Pacha took up his office as Director on 15 April 2007;
- (b) the following redesignations had been made with effect from 1 July 2007 and the financial compensation for each post will be backdated to that date, once LRIT funding is secured: The Head of Technical Services had been redesignated Deputy Director/Head of Operations (DD/HO), equivalent to D2 in the ICSC Common System; and the Head of Administrative Services had been redesignated Head of Administration, Finance and Conferences (H/AFC), equivalent to P5; and
- (c) although the intention, as indicated at recent sessions of the Assembly and the Advisory Committee, had been to recruit the P5 LRIT post from 1 September 2007, due to lack of LRIT funding, this recruitment will be delayed until after MSC 83 in October 2007; the P4 and G grade posts continue to be on track for 1 July 2008 and 1 April 2008, respectively.

4.2 **Travel and Meetings**

The Committee requested that future reports contain a short description of the issues relevant to IMSO.

4.3 **Relations with Member States and with other Intergovernmental Organizations**

4.3.1 The Committee noted that the Director has been working in close cooperation with IMO, not only in relation to GMDSS and LRIT but also in relation to IMO's Depositary functions under the IMSO Convention and for procedures for new Members of the Organization. The Committee noted in particular that that IMO, as Depositary, is in the process of circulating a formal Notification that the 2006 amendments to the IMSO Convention are applied provisionally, with effect from 7 March 2007, pending their formal entry into force.

4.3.2 The Committee also noted that the Directorate has been working with IMO and with Member State Representatives to assist in the ratification of the Amendments to the IMSO Convention adopted at the Eighteenth Session of the IMSO Assembly, which entered into force on the basis of provisional application on 7 March 2007.

4.4 **IMSO website**

The Committee noted a presentation of the architecture for a new IMSO website and that the Director hoped that the website would shortly become operational. There would be public access to the website for basic information on the Organization. Access to the restricted area of the website relating to the Assembly and Advisory Committee would be provided via a password to be provided at the appropriate time to each Member State.

4.5 **Accommodation**

4.5.1 The Committee noted that Inmarsat had proposed a new sub lease for five years with a two year notice period which included some refurbishment and provision for possible expansion of IMSO's staffing relating to LRIT at the appropriate time. The Director was also exploring other possible accommodation options.

4.5.2 The Committee noted that some delegates considered that, in the future, in a multiple provider environment, it may be appropriate for the Organization to relocate from the Inmarsat building, recognizing that such a relocation would have a budgetary impact. At the same time, other delegates considered that it was premature to move from the current premises and that the offer from Inmarsat could be a short time solution provided that a shorter notice period is agreed.

4.5.3 The Committee noted that the Director will continue negotiations to keep the question of accommodation under review, and will report to the Committee.

#### 4.6 **Budget**

4.6.1 The Committee noted, with appreciation, the Director's agreement with the outcome of the discussions with Inmarsat regarding the budget for 2007 and beyond; in particular that:

- (a) Inmarsat will agree to pay the full 2007 IMSO budget of £718,460, with a payment of £146,801 to be paid shortly and the balancing amount of £107,769 to be paid on 1 October 2007;
- (b) the Director will prepare an estimated indicative headline budget for 2008 and 2009 for the GMDSS services (excluding LRIT);
- (c) Inmarsat is willing to pay an indicative 2008 budget for GMDSS of £610,000 plus UK RPI (exclusive of LRIT); this amount excludes the costs for the regular Assembly Session, and any other one off costs which may need to be added; the Director indicated to Inmarsat that some elements of the budget not directly linked with the UK RPI may also affect this estimation but no agreement was reached as to how the costs would be dealt with;
- (d) if LRIT funding is received in 2008, the 2008 GMDSS budget could be reduced to an indicative budget of £470,000 (as previously noted by the Committee and the Assembly);

- (e) if any LRIT costs in 2007 are not covered by donations received by IMSO and are paid for out of the GMDSS budget paid by Inmarsat, then such amounts should be credited/off-set against the 2008 costs for Inmarsat; Inmarsat agreed that such offset should occur at whatever stage LRIT funding is received, even if this was only in 2009, and that the reimbursement should cover the appropriate LRIT costs for the whole of the period;
- (f) until any new arrangements are made in connection with a new PSA with Inmarsat, the Director has agreed with Inmarsat a payment schedule to allow for 70 percent of the budget to be paid in the first half of the year and the balancing 30 percent to be paid in the second half; payments will be made at the start of each quarter (January, April, July and October), ensuring at all times that IMSO's cash flow is not compromised; and
- (g) once LRIT funding is in place for IMSO, Inmarsat would wish to be advised of the total overall budget for IMSO and the split between GMDSS and LRIT at the overall level but would only expect to receive details of the GMDSS budget, not the specifics of the LRIT budget; Inmarsat would expect to be advised of the percentage splits of shared costs for items such as rental, salaries, etc.

4.6.2 The Committee also noted the views expressed by Inmarsat relating to a new PSA, specifically in the areas of annual increases, refund of unexpended funds and the legal contingency fund; the Committee agreed to postpone the debate on this issue until the PSA is finalized.

4.6.3 The Committee had noted, at its Eighteenth Session, the assumptions relating to the illustrative budget for 2007 including LRIT; the Committee had noted that this illustrative budget was a good basis on which to proceed and gave the Committee a good understanding of what to expect. The illustrative budget would be revised in the light of progress and events. This illustrative budget had not been amended by the Director at this time in the light of uncertainties, for example the anticipated delay in recruitment.

4.6.4 The Committee discussed the LRIT budget and comments made are summarized as follows:

- (a) more information and discussion was needed on the system for apportionment of costs and the billing system; the Director indicated that the current assumption was that payment would be made in advance, to ensure sustained cash flow for the Organization; this could be handled contractually in any LRIT service contract along the lines of the PSA with Inmarsat and any other GMDSS provider;
- (b) a simple policy regarding how any financial excess would be used, either refunded to providers or used to offset the budget for the following year, should be developed;
- (c) the short and long term LRIT budget should be further refined in order to be as accurate as possible; it was important to attract LRIT data centres and new GMDSS providers;
- (d) completely separate accounts had already been established, and the budgetary and accounting procedures should be developed to ensure complete financial separation for the two business streams;
- (e) the Director indicated that the three new posts would be recruited at the appropriate time, and that all Member States would receive vacancy notices and job descriptions, drafts of which had already been noted by the Committee; and
- (f) the formula for cost sharing between GMDSS and LRIT had previously been noted by the Committee, and could be reviewed by the Committee at each Budget session; it would not be practicable to instigate any time apportionment/accounting scheme.

4.6.5 The Committee agreed, as recommended by the Director, the illustrative LRIT budget for 2007 of a maximum amount of £314,108, leading to a total budget for 2007 of £854,829 split between GMDSS (£540,721) and LRIT (£314,108) which had previously been noted by the Committee and the Assembly.

4.6.6 The Committee noted that the United States did not associate with the Committee's agreement to the illustrative LRIT budget for 2007, as set

out in paragraph 4.6.5, due to its reservation regarding the functions of IMSO as LRIT Coordinator.

## 5 **GMDSS ISSUES**

5.1 The Committee noted document AC/19/5 “Matters Related to the Provision of Satellite Services for the GMDSS”; in particular the information provided on various issues affecting the provision of GMDSS services via Inmarsat.

5.2 The Committee noted in particular that *“an event had occurred which highlighted the necessity for Administrations to ensure they have back-up arrangements in place to route distress and safety traffic if the Land Earth Station which normally carries their traffic should fail. Inmarsat has been advised to remind Administrations, and SAR and MSI Authorities in particular, of the vital need for such back-up arrangements.”*

5.3 The Committee noted that the Director will follow up on this issue and report thereon to the Committee.

## 6 **LONG RANGE IDENTIFICATION AND TRACKING OF SHIPS (LRIT)**

### 6.1 **Role of LRIT Coordinator**

6.1.1 The Committee noted document AC/19/6.1 which contained IMSO’s contribution to IMO MSC 83 “Analysis as to How IMSO Intends to Undertake the Role of LRIT Co-ordinator, Based on the Performance Standard, Technical Specifications and other Published Requirements of IMO”; in particular:

- (a) The LRIT implementation plan and milestone dates;
- (b) the Director’s policy that all costs, capital and revenues relating to LRIT should be kept completely separate from those relating to GMDSS when preparing budgetary and accounting procedures;

- (c) the need to enhance the staff of the Organization and the need for three additional staff;
- (d) the need for increased office space;
- (e) the agreed indicative LRIT budget for 2007 as a maximum;
- (f) the need of start up funding to a level of 1.5 million pounds for the period 2007-2010; and
- (g) IMSO charging policies, and in particular:
  - (i) IMSO will charge participating IDC, IDE and ASP in accordance with an LRIT Service Contract. These charges would be based on the volume of traffic/messages/ships through each of those elements, or a combination of fixed fees plus additional charges based on volume/messages/ships;
  - (ii) IMSO will charge fixed fees for services relating to evaluation and testing of new and modified elements of the LRIT system; and
  - (iii) payments of fees and charges for which LRIT elements become liable have to be paid in full before any service is provided by IMSO.

6.1.2 The Committee noted that any mechanism to recover costs and ensure compliance should not interfere with transmission of LRIT data from ships to LRIT data centre.

6.1.3 The Committee also noted that the Director will prepare details of the IMSO charges and fees taking into account the principles and decisions to be taken at the Eighty-Third Session of the IMO MSC in October 2007.

6.2 **Request for Proposals for the Establishment, Operation and Maintenance of the International Data Exchange (IDE) and/or International Data Centre (IDC)**

6.2.1 The Committee noted that a Request for Proposals for the Establishment, Operation and Maintenance of the International Data

Exchange (IDE) and/or International Data Centre (IDC) had been issued by the Director on 14 May 2007. The deadline for submissions was 3 July 2007.

6.2.2 The Director had been informed by IMO that:

- (a) the Marshall Islands had submitted a proposal on behalf of an LRIT Consortium consisting of Pole Star Space Applications Limited, Gatehouse A/S and Wallem Innovative Solutions, for the establishment, operation and maintenance of the International LRIT Data Centre and International LRIT Data Exchange, and had done so without obligation or intent to be involved in any way with the proposal put forward by the Consortium; and
- (b) the United States had submitted an offer to host, build and operate the International LRIT Data Centre and International LRIT Data Exchange on an interim basis until such time as there is a viable alternative.

6.2.2 The Committee noted that the Director will evaluate the proposals in accordance with the Performance Standards and submit the results of its evaluation to MSC 83 for decision. The Director was also assisting other Governments interested in establishing regional or national LRIT centres. The Directorate was also working actively with the IMO MSC Intersessional Working Group on LRIT.

6.3 **Measures Required to Fulfil the Functions of the LRIT Coordinator**

The Committee also noted document AC/19/6.2 containing information on LRIT start up funding, the planned LRIT fee structure, the LRIT business plan, the functions of the LRIT Co-ordinator, and the budgetary implications.

6.4 **LRIT Start Up Funding**

6.4.1 The Director indicated that some financial contributions from Canada, Malta and the European Maritime Safety Agency (EMSA) were likely to be received to cover some expenses relating to attendance at LRIT meetings and assistance in the establishment of a regional data centre. However, no



significant income for LRIT start up funding had yet been identified, and this could prejudice IMSO's ability to fulfil its functions as LRIT Coordinator.

6.4.2 The Committee noted that the Director had written to all IMSO Member States and SOLAS Contracting Governments requesting start up funding. An estimated amount of £1.5 million would be needed for the next four years. The Director had approached a number of governments which had indicated to IMO MSC that they were willing to host regional national or international centres. He had also approached the European Commission, as well as industry. The issue of start up funding was not considered when the SOLAS amendments were adopted. The principle had been established that the LRIT system should be at no cost to either governments or ships. The Director intended to continue these efforts.

6.4.3 The Committee discussed the question of LRIT start up funding and suggestions and comments were made:

- (a) when IMO MSC 82 discussed the LRIT contingency plan, it had agreed that start up funding was an issue for IMSO; prior to MSC 83 all available options should be explored and presented so that alternative contingency plans are in place in case no funds are found;
- (b) if the Director were to explore the possibility of obtaining start up funds via a loan, it should be made clear that Member States have no liability under the IMSO Convention;
- (c) in view of the implications for search and rescue, IMO could be requested to emphasise to SOLAS Contracting Parties the need for LRIT start up funding;
- (d) the Director should write once again to Member States indicating the level of funding promised, which could encourage them to contribute similar amounts; although IMSO has been designated LRIT Coordinator by Assembly at no cost to Member States, this but does not exclude voluntary contributions;
- (e) there is a clear commitment from IMO to ensure LRIT succeeds; the document submitted by the Director to IMO MSC gives a good

indication of the readiness of IMSO to undertake the LRIT function and that it urgently needs funding; there was confidence that MSC 83 will show an even greater commitment to LRIT; and

- (f) although all options should be kept open, it would be premature to seek loans from outside the membership.

6.4.4 The Committee agreed that the Director should continue his efforts to identify possible sources of LRIT start up funding, and should write once again to Member States reiterating the need for start up funds for commencement of LRIT project and specifying the amounts sought.

## **7 AUDITED FINANCIAL STATEMENTS FOR 2006**

The Committee noted document AC/19/7, and that the audited Financial Statements for 2006 were sent to all IMSO Member States on 11 April 2007. The Committee noted that the Auditor had expressed its satisfaction with the Accounts and that, should the Auditor in the future make any recommendations, the Director would take appropriate corrective action and the Committee would be kept fully informed.

## **8 ANY OTHER BUSINESS**

### **8.1 Terminology in Relation to Oversight of Providers of Satellite systems for GMDSS: Submission by Party of Denmark**

8.1.1 The Committee noted document AC/19/8.1 which was submitted by the Party of Denmark, which proposed that the definition of “Provider” be clarified in the draft Reference Public Services Agreement and/or the IMSO Convention.

8.1.2 The Committee noted that Denmark proposed that “Satellite System Provider” means any entity providing a satellite system recognized by the International Maritime Organization for use in the GMDSS, and that the precise definition should be clarified in the draft Reference Public Services

Agreement at the appropriate time when the PSA is finalized and/or amendments to the IMSO Convention are considered.

**8.2 Committee Work Programme for 2007-08**

8.2.1 The Committee noted document AC/19/8.2 which proposed a work programme for the Committee for 2007-08.

8.2.2 The Committee expressed its appreciation for Director's initiative which provided a good method of work for the Committee.

8.2.3 The Committee noted that the work programme (set out in Annex V to this Report) will be further refined at each Session of the Committee, in the light of progress and other meetings, especially in relation to LRIT.

**8.3 Chairman's proposal regarding Directorate issues**

8.3.1 The Committee noted document AC/19.8.3 which had been submitted by the Chairman and which discussed recognition of the services of the previous IMSO Director, Mr Jerzy Vonau, as well as redesignating the title of the Director.

8.3.2 The Committee noted that, if and when a formal proposal is made by a Government to nominate Mr Jerzy Vonau for the International Maritime Prize 2007, it will consider the proposal of the Chairman at that time.

8.3.3 The Committee agreed to recommend to the Assembly that Mr Jerzy Vonau be designated as Director Emeritus of IMSO, in recognition of his services to the Organization without any consequent financial or other obligation placed upon IMSO.

8.3.4 The Committee agreed, for administrative convenience and in the light of the extended functions of the Organization, to recommend to the Assembly that it may wish to consider amending the title of the Head of the IMSO Directorate to Director General. Such redesignation could be adopted by the Assembly and/ or could eventually require amendment to the IMSO Convention in accordance with Article 19. The Committee also noted that such action may require consequential redesignations of titles of other

members of the Directorate and that, in any event, no financial implications would be involved.

8.4 **Proposed Amendments to IMSO Convention and Proposed Assembly Resolution (Submission by the Party of the United States)**

8.4.1 The Committee noted document AC/19/8.4; and expressed its appreciation for the effort put in the document by the United States. The formal submission was made by the United States on 22 June 2007, and was received by the Director on 29 June 2007 and will be translated and circulated to all Member States in accordance to Article 19 of the IMSO Convention.

8.4.2 The Advisory Committee recognised that it is outside of its mandate to discuss the document.

8.4.3 Taking into account comments made regarding the necessity for further amendments to the Convention, also expressed by some Parties at the Nineteenth (Extraordinary) Session of the Assembly, some members of the Committee recommended that the United States invite all IMSO Member States to participate in an informal correspondence group in order to improve, if necessary, the proposed amendments to the Convention and the proposed resolution on administrative issues, for consideration at the next Assembly session. The Committee recognised that the Director is already performing some of the functions recommended in the proposed amendments and resolution.

8.4.4 Other Members raised that there may be legal implications to further amendments being introduced to the IMSO Convention in relation to the 2006 amendments, and the Committee requested the Director to seek advice from IMO as the Depositary of the Convention.

8.4.5 In relation to the proposal of the United States requesting that the 2008 regular Assembly session be held as early as possible in 2008, the Committee agreed to consider the issue at its next session as it was not in a position to make a decision at this session taking into account its work programme. The Committee further requested the Director to check the

availability of dates and venues for the next Assembly Session, taking also into account meetings of other related organisations.

8.5 **Date of next meeting of the Committee**

The Committee agreed that its Twentieth Session will be held during the week of 10 December 2007.

9 **APPROVAL OF REPORT**

The Committee approved the Report of its Nineteenth Session.

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**AGENDA FOR THE NINETEENTH SESSION  
OF THE IMSO ADVISORY COMMITTEE**

Opening of the Meeting

1. Approval of Agenda
2. Outcome of the Eighteenth Session of the Advisory Committee
3. Matters arising from the Eighteenth and Nineteenth (Extraordinary) Sessions of the IMSO Assembly
4. Directorate activities
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8. Any Other Business
  - Terminology in relation to oversight of providers of satellite Systems for GMDSS. Submission by Party of Denmark
  - Committee Work Programme for 2007-08
  - Chairman's proposal regarding staff issues
  - Proposed Revisions to IMSO Convention and Proposed Assembly Resolution: Submission by the Party of the United States
  - Date of next meeting of the Committee
9. Approval of Report

**LIST OF PARTICIPANTS****CANADA**

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<b>KENYA</b>	Mr Kiboi Waituru Second Secretary Kenya High Commission
<b>LIBERIA</b>	Mr George Arku Permanent Representative of Liberia to IMO
<b>MALTA</b>	Ms A.M. Sciberras Counsellor, Maritime Affairs Merchant Shipping Directorate Malta High Commission, London
<b>MARSHALL ISLANDS</b>	Mr David J. F. Bruce Permanent Maritime Representative of the Republic of the Marshall Islands to IMO.
<b>MEXICO</b>	Mr Hector Rodriguez Alternate Permanent Representative of Mexico to IMO Embassy of Mexico, London



	Mr Luis Muriel del Castillo Communications and Transport Attache Embassy of Mexico, London	
<b>NIGERIA</b>	Mr William Azuh (Chairman) Alternate Permanent Representative of Nigeria to IMO Nigerian High Commission, London	
<b>PANAMA</b>	Mr Arsenio Dominguez (Vice-Chairman) Technical Adviser Embassy of Panama, London	
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<b>RUSSIAN FEDERATION</b>	Ms Nadya Nesterenko Morsviazsputnik	
<b>SOUTH AFRICA</b>	Mr Dumisani Ntuli Alternative Permanent Representative of South Africa to IMO South Africa High Commission, London	
<b>SPAIN</b>	Mr Manuel Nogueira Counsellor for Transport, Permanent Representative of Spain to IMO Embassy of Spain, London	
	Mr Julián Abril Maritime Attaché Embassy of Spain, London	
	Mr Juan Antonio Alonso Jefe del Área de Proyectos y Comunicaciones Dirección General de la Marina Mercante	
<b>TURKEY</b>	Captain B. Sitki Ustagoglu Alternate Permanent Representative of Turkey to IMO	

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**UNITED KINGDOM**

Mr Douglas Bush  
Department of Trade and Industry

Mr Simon Cockburn  
Maritime and Coastguard Agency

**UNITED STATES  
OF AMERICA**

Mr Larry Solomon  
Spectrum Management Counsel  
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**VENEZUELA**

Mr Guillermo Rangel  
Permanent Representative of Venezuela  
to IMO

Captain Luis Alejandro Ojeda Perez  
Permanent Representative of Venezuela  
to IMO

**IMSO**

Mr Esteban Pacha  
Director

Ms Jenny Ray  
Head of Administration, Finance and Conferences

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**LIST OF DOCUMENTS**

AC/19/1/REV/1	Provisional Agenda
AC/19/2	Outcome of the Eighteenth Session of the Advisory Committee
AC/19/3	Matters arising from the Eighteenth and Nineteenth (Extraordinary) Sessions of the IMSO Assembly
AC/19/4 + ADD/1	Directorate activities
AC/19/5	Global Maritime Distress and Safety System (GMDSS) Matters Related to the Provision of Satellite Services for the GMDSS
AC/19/6.1	Long Range Identification and Tracking of Ships (LRIT) IMSO Submission to IMO Maritime Safety Committee Analysis as to How IMSO Intends to Undertake the Role of LRIT Co-ordinator, based on the Performance Standard, Technical Specifications and Other Published Requirements of IMO
AC/19/6.2	Long Range Identification and Tracking Of Ships (LRIT) Measures Required to Fulfil the Functions of the LRIT Co-ordinator
AC/19/7	Audited Financial Statements for 2006
AC/19/8.1	Any Other Business Terminology in relation to oversight of providers of satellite Systems for GMDSS. Submission by Party of Denmark
AC/19/8.2	Any Other Business Committee Work Programme for 2007-08
AC/19/8.3	Any Other Business Chairman's proposal regarding Directorate Issues
AC/19/8.4	Proposed Revisions to IMSO Convention and Proposed Assembly Resolution: Submission by Party of the United States

**TERMS OF REFERENCE  
FOR THE ADVISORY COMMITTEE**

Chairman: Mr William Azuh (Nigeria)

Vice-Chairman: Mr Arsenio Dominguez (Panama)

Membership decided by Eighteenth Session of the IMSO Assembly,  
September 2006

Algeria, Bangladesh, Brazil, Canada, Chile, Colombia, Cyprus, France, Germany, Greece, Hungary, India, Italy, Japan, Kenya, Liberia, Malta, Marshall Islands, Mexico, Nigeria, Panama, Peru, the Russian Federation, Senegal, South Africa, Spain, Turkey, the United Kingdom and the United States of America, with Argentina and Portugal as observers and Malaysia as an alternative member on behalf of Bangladesh.

**1 ADVISORY COMMITTEE**

1.1 The Advisory Committee is established by the Assembly on a permanent basis, to carry out, on behalf of and under delegation from the Assembly, the tasks set forth in these Terms of Reference.

1.2 The Advisory Committee shall consist of representatives from fifteen Parties, elected by each Session of the Assembly, taking into account the need for full geographical representation, and for continuity of membership.

1.3 The Committee shall appoint its own Chairman, and Vice-Chairman.

**2 TASKS**

2.1 The Committee shall consult with the Director and give its guidance and advice to the Director on the following matters:

- (a) preparation by the Director of the annual budget of the Secretariat, and accounting and auditing procedures;

- (b) any proposed action by the Director to convene an extraordinary general meeting of the Holdings Company or initiate arbitration or judicial proceedings in the event of any alleged breach by the Companies of their obligations under the PSA, provided that if the Committee so requests, or the Director so decides, the Director shall convene an extraordinary session of the Assembly to authorize appropriate enforcement action;
- (c) determination by the Director of the staffing structure of the Secretariat, and standard terms of employment of Secretariat staff, and the Staff Rules;
- (d) any other matters delegated by the Assembly; and
- (e) any other matters on which the Director identifies a need to consult the Advisory Committee on a case-by-case basis.

2.2 The Committee shall approve the regular report of IMSO to the IMO envisaged in Article 4.3 of the Public Service Agreement (PSA), prepared and submitted by the IMSO Director.

2.3 The Committee shall agree the annual budget and resolve any issues regarding the annual budget which may be submitted by the Company.

2.4 The Committee shall review the Audited Annual Financial Statements of the Organization, and submit a report thereon to the Assembly.

### **3 WORKING METHODS**

3.1 The Rules of Procedure for the Assembly shall *mutatis mutandi* apply to the Advisory Committee, except that a quorum for future meetings for the Advisory Committee should be seven countries.

3.2 The Committee shall determine its own working procedures, including the frequency and location of its meetings.

3.3 The Director is requested to provide such practical assistance to the Committee as may be necessary. In arranging its work and holding meetings, the Committee shall endeavour to minimise costs to the extent possible.

**4 COSTS**

Costs associated with all travel, accommodation and subsistence of the members of the Committee at their meetings shall be borne by their respective Parties.

**5 REPORTING TO PARTIES AND TO THE ASSEMBLY**

On behalf of the Committee, the Chairman shall, through the Director, send regular reports to Parties on the results of its work, and shall also submit a report thereon to the Assembly.

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**WORK PROGRAMME FOR THE ADVISORY COMMITTEE**

<b>ACTION</b>	<b>AC SESSION</b>	<b>DATES</b>	<b>DEADLINE</b>
Terms of Reference for the Advisory Committee	AC 20	Dec 07	June 08
Public Services Agreement	AC 20 AC 21	Dec 07 Feb 08	AC 22 June 08
Rules of Procedure for the Assembly	AC 20	Dec 07	June 08
Functions of the IMSO Director	AC 20	Dec 07	June 08
LRIT IMO/IMSO Draft Agreement	AC 20 AC 21	Dec 07 Feb 08	June 08
LRIT Service Agreements for IDCs, IDE and ASP	AC 20 AC 21	Dec 07 Feb 08	
Budget 2008	AC 20	Dec 07	Dec 07
Budget 2009	AC 24	Nov 08	Nov 08